

ATTACHMENT A

Remarks

In the decision of the Board of Appeals mailed July 16, 2004, it was stated that “[w]ith regard to Appellant’s arguments that Hoff’s VCR does not transmit a message out to external recipients, and that Hoff appears ‘only to provide network or page communication to the VCR, not communications from the VCR to the network devices’ (reply brief, page 3, first paragraph), we are not persuaded since reference to instant claim 4 reveals that the claim does not say what is outputting the signal nor where it is going.” By virtue of the Amendments to Claims fled concurrently herewith, the claims have all been amended to include therein, in one form or the other the subject matter of claim 4, and have been further amended to make it clear that the “outputting of the reminder signal comprises outputting of a message to at least one user of the computerized system via a network communications device associated with the at least one user of the computerized system.” (in, e.g. amended claim 1)

Turning to the reference, the Hoff patent is concerned with VCR clock synchronization, VCR recording of pager messages, and VCR programming via telephone, as is evident from, for example Figure 1 and the Abstract of the Disclosure. The specific passage cited by the Examiner (column 10, line 29 to column 11, line 48) is concerned with the transmission of personal pager messages to a VCR and recording of those messages by the VCR. There is no indication in this passage, or anywhere else in the Hoff patent, that these personal pager messages are reminder messages concerning scheduled or programmed VCR recordings. Moreover, as indicated above, it is respectfully submitted that neither the VCR nor the VCR control of the Hoff patent transmits any pager messages out to the external recipients or devices. In this regard, the Hoff system appears to be a one way system as is evident from, for example, Figure 1 which shows that box 42 only has a output to VCR 53. Moreover, there is no indication in Figure 1 of a transmitter or output path to antenna 44. Reference is also made to column 11, lines 43-46 which states: “it has been shown how one or more messages can be sent by means of a telephone 10 to instruct VCR point-to-point receiver 46 to record the personal messages onto video tape for later playback and

review". Thus, given the changes that have now been made in the claims, it is respectfully submitted that the claims now patentably define over the combination of the Young, Ellis and Hoff patents relied on by the Examiner.

It is noted that the Board also held that because of the deficiencies of previous claim 4 discussed above, i.e., because this aspect of the invention was "broadly claimed, it is our view that the examiner has set forth a prima facie case of obviousness with regard to the claimed subject matter." This reasoning no longer applies in view of the amendments made to the claims, and thus it is respectfully submitted that the claims now presented patentably define over the cited references.

End Remarks